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EXAMINER

ODLAND, DAVID E

| ART UNIT | PAPER NUMBER |
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2662

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

Application No.

09/827,417

Applicant(s)

BRUMM ET AL. 

Examiner

David Odland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/03/2002</u> . | 6) <input type="checkbox"/> Other: ____  |



## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1,13 and 25 are objected to because of the following informalities:
  - Claim 1 recites two instance of the terms “to a first” in line 3. These redundant terms should be deleted.
  - Claim 13 recites two instances of the term “respective” in line 2. This redundant term should be deleted.
  - Claim 25 does not recite which claim it depends on. Note for this Office Action it is assumed that claim 25 depends on claim 23.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3,8,12-15,17,19,23,24 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Voit et al. (USPN 6,292,481), hereafter referred to as Voit.

Referring to claims 1 and 23, Voit discloses a method for subscriber administration in a variety of telecommunications networks, the method comprising the steps of making available first services and features to a first to a first subscriber to a line-switching communications



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network using the line-switching communications network (a telephone subscriber is afforded circuit switched services (see figure 1 B)), making available second services and features to a second subscriber to a packet-switching communications network using the packet-switching communications network (a computer user is afforded Internet based services (see figure 1B)), generating first setting information for the first subscriber and second setting information for the second subscriber using a controller (a, ITN control plane generates information for setting up a call between the POTS user and the computer user (see items 206, C1.17,C1.11 and C2.11 in figure 2)), transmitting the first setting information between the controller and at least a first control unit of the line-switching communications network (the ITN control plane transmits information to the PSTN control plane (see items C4 and C1.17 in figure 2)), transmitting the second setting information between the controller and at least a second control unit of the packet-switching communications network (the ITN control plane also transmits information to the PC users control plane (see item 202 in figure 2)), storing the transmitted first setting information and setting the corresponding services and features at the first subscriber via the first control unit (the PSTN control plane is a software implementation and processing the control signaling from the ITN control plane is done using memory (see figure 2)) and storing the transmitted second setting information and setting the corresponding services and features at the second subscriber via the second control unit (the PC users control plane is a software implementation and processing the control signaling from the ITN control plane is done using memory (see figure 2)).

Referring to claim 2, Voit discloses that the controller is a superordinate controller of the first and the second control units (the ITN control plane is used for authorization authentication



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and thus it can be considered as superordinate to the PSTN and PC user control planes (See figure 2)).

Referring to claims 3 and 24, Voit discloses carrying out subscriber signaling of the second subscriber using a network element of the line-switching communications network, which has an interface to the packet-switching communications network (the ITN/ITG performs signaling for conversion between the two networks (see figures 1B & 2)).

Referring to claim 8, Voit discloses settings in a plurality of control units are necessary to set at least one of a service and a feature, and wherein corresponding setting information is transmitted between the controller and the respective control units (in order to provide the service of communication between the POTS user and the PC user the proper signaling information must be processed by the corresponding control planes (see figures 1B and 2)).

Referring to claims 12 and 26, Voit discloses the packet-switching communications network is a data network based on an Internet protocol (see item 106 of figure 1B)).

Referring to claim 13, Voit discloses the respective services and features can be at least one of activated, deactivated and configured using at least one of the first and second setting information (the service being provided is configuring the network to provide communication between the PC user and the POTS user (see figure 1B)).

Referring to claim 14, Voit discloses the controller includes an input unit and an output unit, which can be used to respectively input and output setting information to administer the services and features (the control planes have input and output units (see figure 2)).

Referring to claim 15, Voit discloses the controller makes available a graphic user interface for inputting and outputting data (PC user inputs information such as passwords and the



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PC displays items such as total charges and error notification (see column 5 line 35 through column 6 line 16 and column 15 lines 23-31)).

Referring to claim 17, Voit discloses the controller has access to a database with subscriber information of the first and second subscribers (the control has access to the Directory Services and Authentication Security Accounting databases (see items 114 and 116 of figure 1B)).

Referring to claim 19, Voit discloses the transmission of the setting information is carried out using a program interface between the controller and the first and second control units (the control planes are implemented in software (see figure 2)).

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-7,9 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit in view of Shtivelman et al. (USPN 6,078,581), hereafter referred to as Shtivelman.

Referring to claims 4-7 and 25, Voit discloses the system discussed above. Voit does not disclose making available the services and features of the line-switching communications network to the second subscriber via the subscriber signaling and generating first setting information, in addition to the second setting information, which relates to the services and features of the line- switching communications network, wherein the related services are call



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waiting. However, Shtivelman discloses a system wherein a call waiting service, which is normally supplied to only PSTN based subscribers, is also given to Internet based PC users (see abstract and figure 1)). It would have been obvious to one skilled in the art at the time of the invention to implement this additional service to the PC user in Voit because as Shtivelman points out in column 2 lines 20-27, providing this service to PC users alleviates inconvenience and concern associated with the inability to receive important phone calls while on-line.

Referring to claim 9, Voit discloses respective control information is transmitted to control units of the respective line-switching communications network and the packet-switching communications network (the ITN control plane transmits information to both the PSTN and PC User control planes (see figure 2)).

6. Claims 10,11,16,18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit.

Referring to claims 10,11,18 and 20, Voit discloses the system discussed above. Voit does not disclose the use of H.323/11.450 signaling, DSS1 signaling, COBRA and SNMP interfaces or Q3 and man/machine language interfaces. However, It would have been obvious to one skilled in the art at the time of the invention to implement these features into the Voit system because these are all established standards and thus implementing them would increase the flexibility and versatility of Voit enabling the Voit system to conform to existing standards. Furthermore, doing so would decrease the developmental costs of the Voit system since these standards can be used in place of developing entirely new ones.



Referring to claim 16, Voit discloses the system discussed above. Voit does not disclose the services and features are at least one of activated, deactivated and configured using selection lists of the graphic user interface. However, it would have been obvious to one skilled in the art at the time of the invention to implement this feature into Voit because graphical lists, such as pull-down menus, are established user interfaces that make interacting with the system more user-friendly.

7. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit in view of Laiho (USPN 6,078,581), hereafter referred to as Laiho.

Referring to claim 21, Voit discloses the system discussed above. Voit does not disclose assigning a plurality of subscribers to one group in the controller, wherein it is possible to assign services and features to the group. However, Laiho discloses a system wherein subscribers are grouped and particular services are assigned and updated to the entire group (see abstract and column 1 and 2)). It would have been obvious to one skilled in the art at the time of the invention to implement this feature in the Voit system because as Laiho points out in column 2 line 11, doing so minimizes signaling overhead. Note although the Laiho system is provided for a cellular system, the Voit system also uses signaling and also has limited processing resources. Thus, reducing the signaling overhead of Voit using the methodology of Laiho will improve the resource utilization in Voit.

Referring to claim 22, Voit discloses the subscribers are subscribers to one of the line-switching communications network and the packet-switching communications network (the POTS and PC users are subscribers of the PSTN and the Internet (see figure 1B)).



***Conclusion***

8. The following prior art, which is made of record and not relied upon, is considered pertinent to applicant's disclosure:

- a. U.S. Patent Number 5,917,817 to Dunn et al.
- b. U.S. Patent Number 6,661,785 to Zhang et al.
- c. U.S. Patent Number 6,084,956 to Turner et al


Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Odland whose telephone number is (571) 272-3096. The examiner can normally be reached on Monday - Friday from 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached at (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

deo

November 30, 2004

  
**JOHN PEZZLO**  
**PRIMARY EXAMINER**